1948. File No. O Forfeited Land/48

Legal DEPARTMENT

A BRANCH

Subject: Opinions under the Bombay Forfeited Lands Restoration Act- 1938.

P 2E

File No. O. Forfeited Land/48.

Std. Sectt. Slip 24 E. e.

470-A

C O N T E N T S

Legal Department File No. O. Forfeited Lands/ 48

Sr. No.	Compilation	Subject	Pages
	O. Forfeited Lands /1948	Opinions under Re: Bombay forfeited Lands ~~Restriction~~ Act 1938 Restoration	
1.	O.M. 869 16-9-48	Sec. 9 No Case on the point & compensation under ---	1-2

Mjr/17/5

5 C.

17/5 17/5

L.D.R.II No.10372, dated 17-8-48

Submitted.

Please see the West Bengal Government's letter at p. 1 ante and the R.D. note on p. 3

There are no reported rulings of the Bombay High Court on the Bombay Forfeited Lands Restoration Act, 1938. In the Act itself there is no definition of the term "compensation"; but the Tribunal constituted under section 3 has to determine the same in accordance with the provisions of section 9. It is not clear what particular difficulty is felt by the Bengal Government. Had they stated their difficulty in a little more detail, relevant case law from analogous legislation could have been supplied to them. In the absence of details the R.D. may be advised to send a copy of the Act to the Government of West Bengal and to invite the attention of that Govt. to section 9 thereof. That Government may also be advised that there is no reported case on the ~~inform~~ interpretation of the term compensation in the Act.

Sd/- Rege.
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Reply may be:-

There is no decided case on the point of compensation under section 9 of the Bom forfeited Lands Restoration Act, 1938 Nor are there any papers in L.D elucidating it. The attention is however invited to the Assembly Debates on Cl 9 of the Bill where useful Materials can be found.

Sd/- R.T.Katarki
16/9

R.L.A.

Sd/- P.K.Lad
16/9

Reply A-A.

U.R.O. to R.D. No. 8695 dated 18-9-1948

Mjr/17/5